THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.4692 of 2005

Dated:02.08.2007

Between:

Bontu Sujanamma, W/o.Narasimha Rao.

…Petitioner

and

The Spl.Dy.Collector (TW),
Rampachodavaram, East Godavari District, and others.

…Respondents

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ORDER:

The petitioner is allegedly a member of Valmiki community, which is notified as Scheduled Tribe. It is her case that she purchased an extent of Acs.4.00 of land in Survey No.51/2 situated at Sarabhavaram Village of Rajavommangi Mandal in East Godavari District under registered sale deed dated 14.06.1961. It appears, respondents 2 and 3 filed cases under the Andhra Pradesh Scheduled Areas Land Transfer Regulation, 1959, being L.T.R.P.Nos.606 of 1977, 196 of 1984, 37 of 1991, 42 of 1996 and 60 of 2000, and in all the matters, after enquiry, the action was dropped. Again at the behest of respondents 2 and 3 the first respondent initiated action and issued notice in Form-E as per Rule 7 of the Andhra Pradesh Scheduled Areas Land Transfer Rules, 1969, calling upon the petitioner to appear before him for an enquiry on 24.02.2005. Aggrieved by the same, and contending that issuance of the notice by the first respondent is gross abuse of process of law, the present Writ Petition is filed.

It is now well settled that against a notice of enquiry and a show cause notice a writ petition would not lie. Indeed, in similar cases this Court has dismissed number of Writ Petitions giving liberty to the recipients of the notice to approach the original authority and raise all objections.

This case also is disposed of giving liberty to the petitioner to approach the first respondent and place all the orders in the L.T.R.Ps,

which were decided in her favour, and seek necessary redressal. The first respondent shall consider all the pleas that may be raised by the petitioner.

The Writ Petition, with the above observations, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

02.08.2007
vs